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SUBJECT: IRAQI PARLIAMENTARIAN ALLEGES TERRIBLE PRISON
CONDITIONS IN THE SOUTH

REF: A. 2006 BASRAH 77
 IB. 2007 BAGHDAD 3971

Classified By: Classified by PolCouns Matt Tueller for reasons 1.4 (b)
and (d)

1.(C) SUMMARY: A delegation from the CoR Human Rights Committee spent five days examining prison conditions in the southern cities of Basrah, Nasiriyah, and Diwaniyah. Committee Deputy Harith Al-Ubaidy had an overall negative outlook of the prison system in the south. He said he heard allegations of widespread torture at all levels of the prison and detainment system in Basrah and Diwaniyah, and commented that most of the prisoners at the Diwaniyah and Nasiriyah prisons are JAM-affiliated, noting that ISCI controls those provinces. Out of the three provinces, Nasiriyah prison in Dhi Qar was the only one to show some progress in prison conditions. We cannot vouch for the accuracy of any of the HR Committee's allegations of widespread torture in these prisons, which have been under sole GOI control since late 2004. We are working with MNF-I on the best way to independently verify these allegations. END SUMMARY.

2.(C) CoR Human Rights Committee Deputy Chair Harith al-Ubaidy (Tawafuq) described to PolOffs on January 7 his assessment of the state of prisons in Basrah, Diwaniyah, and Nasiriyah gained from a recent HR Committee investigative trip. The trip, which took place December 29 to January 3, included other members of the HR Committee and one member from the Ministry of Human Rights (MoHR). The group made announced visits to four prisons: Al Maqel and Al Minah, which are Ministry of Justice (MoJ) prisons in Basrah; MoJ-run Nasiriyah prison in Dhi Qar; and Diwaniyah detention facility, a Ministry of Interior (MOI) facility in Diwaniyah. The delegation presented their findings to the CoR on January 8 and is planning to hold a press conference to disseminate them further.

BASRAH: TRAGIC CONDITIONS

3.(C) The delegation first visited Al-Maqel prison in Basrah, which al-Ubaidy described as a &tragedy.⁸ According to him, there were 303 detainees, including 12 women and 47 juveniles. (Note: This is approximately the number of inmates the prison can hold, as reported previously (ref A). End Note.) In Al Minah prison, the 600 detainees include 18 juveniles and 15 foreigners from Iran and Bangladesh who were detained for border trespassing and drug possession. Al-Ubaidy noted that there were only 16 rooms in Al Minah for all the detainees, and all were imprisoned in &animal-like cages.⁸ (Note: Al Minah is built for 400 detainees (ref A). DOJ/ICITAP notes that while there are indeed cages in the prison, they in fact do meet international standards. End Note)

4.(C) Al-Ubaidy said both prisons were in terrible condition overall. There were not enough employees, supplies, and medicines, with many reports of disease outbreaks. There

were no social workers to rehabilitate the prisoners, which al-Ubaidy warned will leave them angry and vengeful. He discussed structural problems with the system of detentions and trials, noting particularly that many cases had not been referred to the courts. (Note: ICITAP is building a new prison, Basrah Central, in the area, which is currently in the contract phase. End Note)

DIWANIYAH: EQUALLY BAD PRISON CONDITIONS

5.(C) In Diwaniyah, al-Ubaidy said that many of the prisoners had been charged with terrorist activities and were affiliated with JAM. The MoI detention facility housed 555 inmates including 8 women and 223 terrorists. (Note: Detention facilities, which are designed for pre-trial detainees, differ from prisons that are meant for post-trial prisoners. End Note) Of the total number of inmates, 193 had been prosecuted, but many had been there for a year without formal accusations being made. The police commander told al-Ubaidy that the prison was in bad condition, was over its capacity of 250, and has no social workers assigned to it. He complained that some prisoners had been sentenced to execution and transferred to Baghdad, but had been sent there on a dangerous route that allowed them to escape.

NASIRIYAH: PROGRESS MADE IN PRISON SYSTEM

6.(C) Overall, al-Ubaidy said, the MoJ prison in Nasiriyah was better than what they saw in the other provinces. It held 543 prisoners (many JAM-affiliated) including 9 women, although it is only built to hold 450 prisoners (ref A). He said that a reform and rehabilitation prison was under construction. (Note: Completion of this U.S.-funded prison is due in March and will be activated soon after, according to

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ICITAP. Phase one in March will provide 800 new beds, and two additional phases to be completed in late 2008 will provide 800 new beds total. End Note) He mentioned several positive points such as the presence of social workers. The prison warden has a degree in social work and has initiated programs to teach illiterate prisoners to read, and to participate in sports programs and other social activities. (Note: This warden has received training from ICITAP and participated in a 20-person training visit to U.S. prisons in February 2007. ICITAP notes he is a more progressive warden and has been picked to be the warden of the new prison upon completion. End Note)

ALLEGATIONS OF TORTURE IN BASRAH AND DIWANIYAH

7.(C) Al-Ubaidy said the delegation heard allegations of widespread torture, reportedly mainly committed during the investigative stage in police stations or by militias who often arrested people at will. Al-Ubaidy said men showed him cigarette and electric burn marks, and many men said they were either threatened with rape or sodomized with steel rods. Some prisoners in Diwaniyah reported they were tied up by their hands and feet, put on a steel rod and beaten while they rotated around the rod, like chickens roasting on a spit. Al-Ubaidy noted that many of the prisoners were afraid to talk in front of the guards, and said that when the guards were not there the prisoners were still afraid to talk, claiming that prison officials place spies in the cells to see who talks. At Al Minah, prisoners told the delegation that they were frequently beaten by guards, allegations that guards accompanying the delegation actually affirmed at one point. (Note: Similar torture methods have been used elsewhere in the country, including Baghdad, and have been confirmed by ICITAP reporting. End Note)

8.(C) COMMENT: We cannot vouch for the accuracy of any of the HR Committee's allegations of widespread torture in these prisons, which have been under sole GOI control since late 2004. We are working with MNF-I on the best way to independently verify these allegations. The HR Committee's

report, if accurate, seems to contradict some anecdotal reports of progress in the south, especially in Basrah, where chaos in the prisons was reportedly widespread. There has been a lack of ICITAP presence in southern prisons, but ICITAP is scheduled to establish a prison monitoring presence in Nasiriyah this month. As reported in 2006, new prisons were supposed to be built in these provinces, but the HR Committee's report from this visit suggests that instead, more inmates are being crowded into old prisons. According to ICITAP however, the USG is funding two new prisons in the south. END COMMENT.

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